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U.S. DISTRICT COURT

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNITED PARK CITY MINES COMPANY,

Defendant.

**ORDER ON PLAINTIFF'S
MOTION IN LIMINE (ECF NO.
184) AND DEFENDANT'S
MOTIONS TO EXCLUDE (ECF
NOS. 205 AND 210)**

Case No. 2:19-cv-00200-BSJ

District Judge Bruce S. Jenkins

This matter is before the Court on Defendant United Park City Mines Company's ("UPCM") Motion to Exclude Christopher S. Osborne (ECF No. 205) and Motion to Exclude Wiley R. Wright III's Liability Opinion (ECF No. 210), Plaintiff United States'

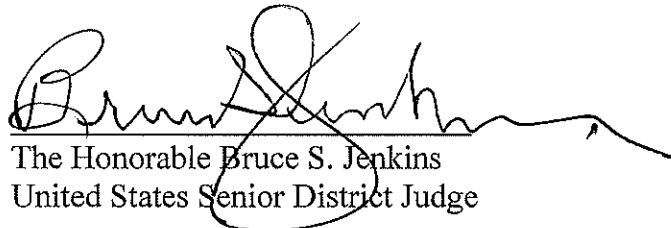
Motion in Limine (ECF No. 184), the Parties' oppositions thereto (ECF Nos. 222, 224, and 225, respectively), and the Parties' replies (ECF Nos. 235, 237, and 226, respectively). A hearing on these motions was held before the Court on April 5, 2021. Vanessa Moore, Alexandra Sherertz, and Mark Elmer appeared on behalf of Plaintiff. Chris Hogle and Jeffrey Wood appeared on behalf of Defendant.

Having considered the motions, the oppositions, the replies, and the oral arguments of counsel as to ECF Nos. 205 and 210, it is hereby ORDERED as follows:

1. UPCM's Motion to Exclude Christopher S. Osborne (ECF No. 205) is DENIED without prejudice to UPCM's ability to object at trial to the admissibility of Mr. Osborne's assertions and opinions on the grounds that they are not relevant and would not be helpful to the trier of fact.
2. UPCM's Motion to Exclude Wiley R. Wright III's Liability Opinion (ECF No. 210) is DENIED without prejudice to UPCM's ability to object at trial to the admissibility of specific assertions and opinions by Mr. Wright concerning whether any cost sought by the United States is a "Future Response Cost" within the meaning of the parties' settlement agreement.
3. The United States' Motion in Limine (ECF No. 184) is DENIED without prejudice as it is premature to decide at this time.

IT IS SO ORDERED.

DATED this 14th day of April, 2021.


The Honorable Bruce S. Jenkins
United States Senior District Judge